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71 Attorneys for Defendants Rimini Street,
72 Inc., and Seth Ravin

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., A Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

V_a

RIMINI STREET, INC., a Nevada corporation;
AND SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**STIPULATION AND [PROPOSED]
ORDER CONCERNING CLAIMS
RELATED TO RIMINI'S USE OF
ORACLE DATABASE**

Courtroom: 3B

Judge: Magistrate Peggy A. Leen

Whereas,

1. The Second Amended Complaint (“SAC”) filed by Plaintiffs Oracle USA, Inc., America, Inc., and Oracle International Corp. (collectively, “Oracle” or “Plaintiffs”) claims arising out of Defendants Rimini Street, Inc.’s (“Rimini Street’s”) and Seth Ravin’s (“Ravin’s”) (together, “Rimini” or “Defendants”) use, copying and possession of Oracle Database Management Software and its related products (“Oracle Database” or “base”).

2. The Parties disagree about whether the license agreements for Oracle Database
and Oracle and Rimini's customers are relevant to this case.

3. Despite this disagreement, Oracle has produced its standard form Database files from the years 2002 to 2010, as identified below:

- ORCLRS0352891-923
- ORCLRSS0352949-3006
- ORCLRS1312912-987
- ORCLRS1312992-3367
- ORCLRS1313371-413
- ORCLRS1313420-451

- 1 • ORCLRS1313463-470
- 2 • ORCLRS1313475-482
- 3 • ORCLRS1313508-565
- 4 • ORCLRS1313570-582
- 5 • ORCLRS1313588-662
- 6 • ORCLRS1313684-762
- 7 • ORCLRS1313788-859
- 8 • ORCLRS1313882-942
- 9 • ORCLRS1313948-4007
- 10 • ORCLRS1314017-025
- 11 • ORCLRS1314034-060
- 12 • ORCLRS1314070-078
- 13 • ORCLRS1314085-136
- 14 • ORCLRS1314139-165
- 15 • ORCLRS1314174-201
- 16 • ORCLRS1314210-268
- 17 • ORCLRS1314270-336
- 18 • ORCLRS1314338-395
- 19 • ORCLRS1323664-703
- 20 • ORCLRS1323726-746
- 21 • ORCLRS1323791-847

22 4. The Parties agree that the terms of the above-listed Oracle standard form Database
23 licenses are representative of the licenses Oracle entered into with its customers for use of
24 Oracle Database.

25 5. The Parties further agree that, to the extent either Party wishes to invoke the terms
26 of an Oracle Database license, for any purpose in the litigation or at trial, the Parties will
27 substitute the terms of Oracle's standard form Database licenses (which Oracle has produced),

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1 for the actual Oracle Database license agreements entered into between Oracle and its customers
2 (which, in many instances, Oracle has not undertaken the burden to produce).

3 6. Neither Party may object to or challenge the use of the terms of Oracle's standard
4 form Database licenses on grounds that: 1) they are not representative of the terms under which
5 Oracle licensed Oracle Database to its customers; or 2) any individual customer's Oracle
6 Database license agreement is not in evidence.

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8 DATED: March 22, 2012

DATED: March 22, 2012

9 BINGHAM McCUTCHEN LLP

SHOOK, HARDY & BACON LLP

10

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18 Pursuant to stipulation, it is SO ORDERED.

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21 Hon. Peggy A. Leen
22 United States Magistrate Judge

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ATTESTATION OF FILER

The signatories to this document are myself and Robert Reckers, and I have obtained Mr. Reckers' concurrence to file this document on his behalf.

DATED: March 22, 2012

BINGHAM McCUTCHEN LLP

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